IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Bail Appl..No. 3232 of 2007()

SC.48/1997 of PRL.SUB COURT,KOTTAYAM
CRIME NO.124/1994 OF KARUKACHAL POLICE STATION

.....

: PETITIONER/ACCUSED NO.7

RAJANISH @ KANNAN, S/O.VASUDEVAN NAIR,
CHANDRAN KUNNEL VEEDU, KANGAZHA KARA,
KANGAZHA VILLAGE.

BY ADV. SRI.SURIN GEORGE IPE

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3232/2007

DATED: 4-6-2007

O R D E R

Petitioner who is the seventh accused in Crime No.124/1994 of Karukachal Police Station for offences punishable under Sections 143, 147, 323, 324, 326 and 307 IPC read with section 149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner, the case against the petitioner has been transferred to the Long Pending Case Register as L.P. Case No.33/2000 of Principal Assistant Sessions Court, Kottayam. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Sessions Court and seek regular bail. Accordingly, if the petitioner surrenders before the Principal Assistant Sessions Court, Kottayam, and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance and also bearing in mind that the proceedings against the other accused in S.C.No.48/1997 before that Court were dropped consequent on the Government withdrawing from the prosecution.

With the above observation this application is disposed of.

V.RAMKUMAR,
JUDGE.

mrcs